

PRESS RELEASE

State Employee Pays \$1,000 for Ethics Code Violations

February 18, 2009

Norwalk Community College (NCC) employee Daniel Cunningham, a resident of Norwalk, admitted violating the Code of Ethics by entering into multiple contracts with NCC outside of the open bidding process and for being paid for state work while performing the contracted services. He paid a \$1,000 civil penalty.

According to the stipulation and consent order, Cunningham, while a state employee employed by NCC, owned and operated a private business as a caterer. From November 2004 through at least May 2006, Cunningham's catering business entered into, and received payment pursuant to, multiple contracts with NCC to provide catering services, each valued at \$100.00 or more. These contracts were not awarded after an open and public process as required by law. This activity was in violation of Connecticut General Statutes § 1-84(i), which prohibits a state employee from entering into a contract valued at \$100.00 or more with his own agency unless the contract is awarded through an open and public process.

Additionally, on more than one occasion, Cunningham performed services pursuant to the contracts during times when he was also being compensated by the state for his state duties, in violation of Connecticut General Statutes § 1-84(b). This section, in relevant part, prohibits a state employee from accepting other employment that would impair his independence of judgment as to his official duties or employment.

As part of the settlement, Cunningham paid \$500 for each section of the Ethics Code that was violated, for a total of \$1,000. In the settlement, Cunningham admitted that his conduct violated the Ethics Code, but stated that he was unaware of the public bidding process requirement. He also stated that the contracts were, in each instance, solicited and initiated by NCC.

"The contracting provisions of the Code of Ethics are vital to an open and transparent government operation," said OSE Executive Director, Carol Carson. "Public officials and state employees who enter into contracts with the state must ensure that they are complying with these provisions."

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